

Attorney for Plaintiff
Hope Boddy

HOPE BODDY,

Plaintiff,

v.

CORELOGIC TELETRACK,

Defendant.

: Civil Action No.:
:
:
:
: **COMPLAINT FOR DAMAGES**
: **PURSUANT TO THE FAIR**
: **CREDIT REPORTING ACT, 15**
: **U.S.C. § 1681, ET SEQ.**
:
: **JURY TRIAL DEMANDED**

1. The United States Congress has found the banking system is dependent upon fair and accurate credit reporting. Inaccurate credit reports directly impair the efficiency of the banking system, and unfair credit reporting methods undermine the public confidence, which is essential to the continued functioning of the banking system. Congress enacted the Fair Credit

1 Reporting Act, 15 U.S.C. § 1681 *et seq.* (“FCRA”), to ensure fair and accurate
2 reporting, promote efficiency in the banking system, and protect consumer
3 privacy. The FCRA seeks to ensure consumer reporting agencies exercise
4 their grave responsibilities with fairness, impartiality, and a respect for the
5 consumer’s right to privacy because consumer reporting agencies have
6 assumed such a vital role in assembling and evaluating consumer credit and
7 other information on consumers. The FCRA also imposes duties on the
8 sources that provide credit information to credit reporting agencies, called
9 “furnishers.”
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13 2. Through a tightly wound set of procedural protections, the FCRA protects
14 consumers from the material risk of harms that otherwise flow from inaccurate
15 reporting. Thus, through the FCRA, Congress struck a balance between the
16 credit industry’s desire to base credit decisions on accurate information, and
17 consumers’ substantive right to protection from damage to reputation, shame,
18 mortification, and the emotional distress that naturally follows from
19 inaccurate reporting of a consumer’s fidelity to his or her financial
20 obligations.
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24 3. Hope Boddy (“Plaintiff”), by Plaintiff’s attorneys, brings this action against
25 CORELOGIC TELETRACK (“Corelogic” or “Defendant”) for violations of
26 the FCRA, as set forth below.
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JURISDICTION AND VENUE

- 1
- 2 4. This Court has federal question jurisdiction because this case arises out of
- 3 violations of the FCRA. 15 U.S.C. § 1681 *et seq.*; 28 U.S.C. § 1331; *Smith v.*
- 4 *Community Lending, Inc.*, 773 F.Supp.2d 941, 946 (D. Nev. 2011).
- 5
- 6 5. Venue is proper in the United States District Court for the District of Nevada
- 7 pursuant to 28 U.S.C. § 1391(b) because Plaintiff is a resident of Clark
- 8 County, Nevada and because Defendants are subject to personal jurisdiction
- 9 in Clark County, Nevada; conduct business in Clark County, Nevada; the
- 10 events giving rise to this action occurred in Clark County, Nevada; and
- 11 Defendant is registered with the Nevada Secretary of State as a foreign limited
- 12 liability company and has appointed a registered agent in Nevada.
- 13
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- 15

PARTIES

- 16
- 17 6. Plaintiff is a natural person residing in the County of Clark, State of Nevada. In
- 18 addition, Plaintiff is a “consumer” as that term is defined by 15 U.S.C. §
- 19 1681a(c).
- 20
- 21 7. CoreLogic regularly assembles and/or evaluates consumer credit information
- 22 for the purpose of furnishing consumer credit reports to third parties, and uses
- 23 interstate commerce to prepare and/or furnish the reports. CoreLogic is a
- 24 “consumer reporting agency” as that term is defined by 15 U.S.C. § 1681a(f).
- 25
- 26 8. Unless otherwise indicated, the use of Defendant’s names in this Complaint
- 27 includes all agents, employees, officers, members, directors, heirs, successors,
- 28

1 assigns, principals, trustees, sureties, subrogees, representatives, and insurers
2 of Defendant.

3 **CoreLogic Failed to Respond to Plaintiff's Written Dispute**

4
5 9. In an CoreLogic credit report dated November 11, 2020, CoreLogic reported
6 inaccurate information regarding Plaintiff's credit history.

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8 10. Specifically, CoreLogic reported three tradeline accounts showing that
9 Plaintiff had outstanding balances owed despite Plaintiff's personal liability
10 for these accounts having been discharged in bankruptcy.

11
12 11. Additionally, CoreLogic reported four incorrect and inaccurate addresses for
13 Plaintiff that are not associated or related to Plaintiff and CoreLogic listed
14 four inquiries in Plaintiff's consumer file that appear to have been obtained
15 without authorization or a permissible purpose.

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17 12. On or about February 5, 2021, pursuant to 15 U.S.C. § 1681i(a)(2), Plaintiff
18 disputed this inaccurate and incorrect information reported by CoreLogic, in
19 writing, instructing CoreLogic to correct or delete this inaccurate and
20 incorrect information ("Dispute Letter").

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23 13. The Dispute Letter included Plaintiff's full name, phone number, date of
24 birth, social security number, and driver's license number for identification
25 purposes.
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1 14. In addition, the Dispute Letter identified each disputed tradeline by
2 referencing the full creditor name and account number, along with a detailed
3 written description of the inaccurate and incorrect information contained in
4 the tradeline.
5

6 15. Plaintiff also attached the following documents to the Dispute Letter: (a) the
7 CoreLogic's credit disclosure report upon which the disputes were based; (b)
8 Plaintiff's filed Bankruptcy Petition (including court identification and case
9 number); (c) Plaintiff's driver's license; (d) Plaintiff's Social Security card;
10 and (e) a recent utility bill.
11




12 16. Plaintiff mailed the Dispute Letter to CoreLogic via US Mail
13

14 17. Upon receipt of the Dispute Letter, CoreLogic was required to conduct an
15 investigation into the disputed information pursuant to 15 U.S.C. § 1681i and
16 inform the furnishers of information about the nature of Plaintiff's disputes.
17

18 18. CoreLogic failed to investigate the disputes raised by Plaintiff in the Dispute
19 Letter and failed and/or failed to provide Plaintiff with the results of
20 CoreLogic's "reinvestigation" as required by 15 U.S.C. § 1681i(a)(6).
21

22 19. Instead, CoreLogic sent a nonsensical response (seen below), dated February
23 17, 2021, in which it demanded Plaintiff send "additional information,"
24 informing Plaintiff that it will not process Plaintiff's request until Plaintiff
25 provides a description of the "disputed items" and the "reason for dispute,"
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along with “Acceptable Data to Identify a Dispute Item”, including but not limited to: Account Name and Number, Loan Company Name and Loan Number, Address, Phone Number, Employer Name, Court Name, Case Number, and Complete Name.

02-17-2021 Ticket#: T00031369-0

More Information Request Form

You have requested a Dispute Filing from CoreLogic Teletrack.

In order to process your request, please complete and return this form along with any other requested information using the contact information provided below as soon as possible.

1. Dispute Information

In order to process your request to dispute information contained on your consumer report, we need additional information from you. Please use the table below and provide the information for each item you want to dispute and return this form.

Acceptable Data to Identify a Dispute Item include but are not limited to: Account Name and Number, Loan Company Name and Loan Number, Previous Address, Phone Number, Employer Name, Court Name and Case Number, Complete Name

Dispute Items	Reason for Dispute

20. There is no legitimate reason or excuse why CoreLogic sent its “More Information Request” form to Plaintiff other than avoid its obligations

1 because Plaintiff had already provided the information CoreLogic requested
2 in Plaintiff's Dispute Letter.in a clear and unambiguous fashion.

3
4 21. Significantly, CoreLogic did not articulate or explain why additional
5 information was required or how the information provided by Plaintiff was
6 insufficient, lacking or otherwise insufficient for CoreLogic to conduct its
7 investigation.
8

9 22. Rather, in an apparent scheme to hinder or deprive Plaintiff of Plaintiff's
10 rights under the FCRA or in a willful attempt to avoid its obligations to
11 investigate Plaintiff's disputes, CoreLogic sent Plaintiff a request for
12 information, requesting information that Plaintiff had already provided. It
13 appears as if CoreLogic did not even read Plaintiff's Dispute Letter, let alone
14 commence an investigate into the inaccuracies and incorrect information
15 disputed therein.
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19 23. CoreLogic's actions constitute a negligent or willful violation of 15 U.S.C. §
20 1681i(a)(1), (4), (6) by failing to provide a timely written reinvestigation
21 report to the Plaintiff regarding CoreLogic's of the results of its investigation
22 into the disputes raised by Plaintiff.
23

24 24. Indeed, CoreLogic failed to provide Plaintiff any evidence of any
25 investigation it conducted into the disputes raised in the Dispute Letter,
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1 instead demanding Plaintiff send duplicative information already submitted
2 by Plaintiff. CoreLogic therefore shirked its duties under the FCRA.

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4 **FIRST CAUSE OF ACTION**
5 **VIOLATION OF THE FAIR CREDIT REPORTING ACT**
6 **15 U.S.C. § 1681 *ET SEQ.* (FCRA)**

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8 25. Plaintiff incorporates by reference all the above paragraphs of this Complaint
9 as though fully stated herein.

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11 26. Defendant failed to conduct a reasonable investigation as required by 15
12 U.S.C. § 1681i(a).

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14 27. Defendant failed to review all relevant information provided by Plaintiff in
15 the Dispute Letter, as required by and in violation of 15 U.S.C. § 1681i(a).

16
17 28. Upon receipt of the Dispute Letter, Defendant failed to conduct an
18 investigation with respect to the disputed information as required by 15 U.S.C.
19 § 1681i(a).

20
21 29. Despite Plaintiff's efforts to correct Defendant's erroneous and negative
22 reporting in writing, Defendant neglected, refused, or failed to do so.

23
24 30. Also as a result of Defendant's failure to correct its continued inaccurate and
25 negative reporting, Plaintiff has suffered actual damages, including without
26 limitation fear of credit denials, out-of-pocket expenses in challenging
27 Defendant's wrongful representations, damage to her creditworthiness, and
28 emotional distress.

1 31. The foregoing acts and omissions constitute numerous and multiple willful,
2 reckless, or negligent violations of the FCRA, including but not limited to
3 each and every one of the above-cited provisions of the FCRA, 15 U.S.C. §
4 1681.
5

6 32. As a result of each and every willful violation of the FCRA, Plaintiff is
7 entitled to actual damages as the Court may allow pursuant to 15 U.S.C. §
8 1681n(a)(1); statutory damages pursuant to 15 U.S.C. § 1681n(a)(1); punitive
9 damages as the Court may allow pursuant to 15 U.S.C. § 1681n(a)(2); and
10 reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1681n(a)(3) from
11 Defendant.
12

13 33. As a result of each and every negligent noncompliance of the FCRA, Plaintiff
14 is entitled to actual damages as the Court may allow pursuant to 15 U.S.C. §
15 1681o(a)(1); and reasonable attorney's fees and costs pursuant to 15 U.S.C. §
16 1681o(a)(2) from Defendant.
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20 **PRAYER FOR RELIEF**

21 Plaintiff respectfully requests the Court grant Plaintiff the following relief
22 against Defendant:
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24 **FIRST CAUSE OF ACTION**
25 **VIOLATION OF THE FAIR CREDIT REPORTING ACT**
26 **15 U.S.C. § 1681 ET SEQ. (FCRA)**

- 27 • actual damages pursuant to 15 U.S.C. § 1681n(a)(1);
28

- statutory damages pursuant to 15 U.S.C. § 1681n(a)(1);
- punitive damages as the Court may allow pursuant to 15 U.S.C. § 1681n(a)(2);
- costs of litigation and reasonable attorney's fees, pursuant to 15 U.S.C. § 1681n(a)(3), and 15 U.S.C. § 1681(o)(a)(1) against Defendant for each incident of negligent noncompliance of the FCRA; and
- any other relief the Court may deem just and proper.

TRIAL BY JURY

34. Pursuant to the Seventh Amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Dated: April 13, 2021

Respectfully submitted,

By /s/ David Krieger, Esq.
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